

**Sim, Hughes, Ashton & McKay LLP***Barristers & Solicitors***Sim & McBurney***Patent & Trade Mark Agents*6<sup>th</sup> Floor, 330 University Avenue  
Toronto, Ontario, Canada M5G 1R7**Tel. (416) 595-1155 • Fax (416) 595-1163****RECEIVED**  
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JUL 14 2004

**DATE: July 14, 2004****Your Ref: -****Our Ref: 4767-179 LAB**

TO:	FAX #	PHONE #
PETITIONS OFFICE United States Patent and Trademark Office	(703) 872-9306	

Total Number of Pages (Including This Page): 10**FROM:** Lola A. Bartoszewicz / (416) 595-1155 Ext. 200**COMMENTS:****Re: United States Patent Application No. 08/737446****Applicant: DUPRE, John****Title: Treatment of Diabetes****URGENT**

Attached hereto please find our Petition For Revival of an Application For Patent Abandoned Unintentionally under 37CFR1.137(b).

Please note that this Petition was previously faxed to you on February 16, 2004 and as of yet it still has not been recorded.

Regards.

We are transmitting from a Xerox Telecopier 7033, 7020 or Workcentre Pro 745 – Group 3 which are compatible with Groups 1 and 2 and fully automatic on a 24 hour basis. If any part of this message is received poorly or missing please call the telecopier operator immediately at (416) 595-1155.

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**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**Applicant(s): **DUPRE, John**

Docket No.

**4767-179 LAB**

Serial No.

**08/737,446**

Filing Date

**January 10, 1997**

Examiner

**Patrick J. Nolan**

Group Art Unit

**1644**

Invention:

**Treatment of Diabetes**

I hereby certify that this Petition For Revival of an Application For Patent Abandoned Unintentionally  
(Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306)

on February 16, 2004  
(Date)

Monica Lopez

(Typed or Printed Name of Person Signing Certificate)

  
(Signature)

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P18/REV01

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)****Docket No.  
4767-179 LAB**

In Re Application Of:

**DUPRE, John**Serial No.  
**08/737,446**Filing Date  
**January 10, 1997**Examiner  
**Patrick J. Nolan**Group Art Unit  
**1644**

Invention:

**Treatment of Diabetes**

Attention: Office of Petitions  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTE:** If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: \_\_\_\_\_

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☒ A small entity declaration:

☐ is enclosed. ☒ was filed on January 10, 1997

4. ☐ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)****Docket No.  
4767-179 LAB**

In Re Application Of:

**DUPRE, John****Serial No.  
08/737,446****Filing Date  
January 10, 1997****Examiner  
Patrick J. Nolan****Group Art Unit  
1644**

Invention:

**Treatment of Diabetes****Calculation and Payment of Fees**

Enclosed are the following fees:

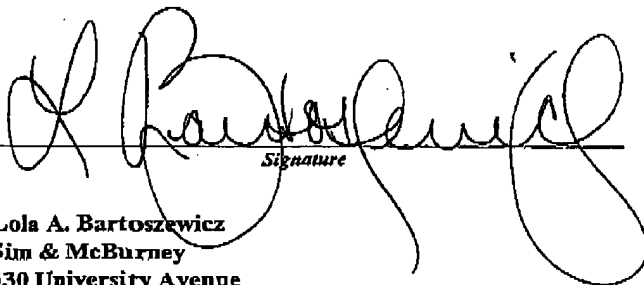
- |   |                             |
|---|-----------------------------|
| 7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:        | <u>\$665.00</u>             |
| 8. <input type="checkbox"/> Fee for amendment in the amount of:                                   | <u>                    </u> |
| 9. <input type="checkbox"/> Fee for extension of time to reply to Office Action in the amount of: | <u>                    </u> |
| 10. <input type="checkbox"/> Issue fee in the amount of:  | <u>                    </u> |
| 11. <input type="checkbox"/> Continuing application filing fee in the amount of:                  | <u>                    </u> |
| 12. <input type="checkbox"/> Terminal disclaimer fee in the amount of:                            | <u>                    </u> |
| 13. <input type="checkbox"/> _____  | <u>                    </u> |
| Total fees enclosed: <u>\$665.00</u>  |                             |

The fee of \$665 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19 2253.

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)****Docket No.  
4767-179 LAB****In Re Application Of:  
DUPRE, John****Serial No.  
08/737,446****Filing Date  
January 10, 1997****Examiner  
Patrick J. Nolan****Group Art Unit  
1644****Invention:  
Treatment of Diabetes****Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

  
Signature

**Lola A. Bartoszewicz  
Sim & McBurney  
330 University Avenue  
6th Floor  
Toronto, Ontario  
M5G 1R7**

**Dated: February 16, 2004**

I certify that this document and fee is being deposited  
on with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Mail Stop Petition, Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence**Typed or Printed Name of Person Mailing Correspondence*

cc: